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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,091	03/26/2001	Pierre Gautier	PHF-99,621	3786

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/806,091	GAUTIER ET AL.	
	Examiner	Art Unit	
	Behrooz Senfi	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/11/04, fwd11/8/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-6 is/are rejected.
- 7) ☒ Claim(s) 2 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed (8/11/2004) have been fully considered but they are not persuasive.

Applicant's amendment filed (8/11/2004), amends claims 2 – 4, and added new claims 5 – 7.

Response to remarks:

Applicant asserts (page 7 of the remarks, lines 11 – 21) that, Casavant '516 does not disclose "receiving the successive frames and delaying each of them with a delay of at least two fields".

In response, examiner respectfully disagrees. Casavant '516 (i.e. figs. 1 – 2, input frames), shows input of the successive frames, and also (fig. 3, col. 4, lines 2 – 5) teaches delay signal by one frame (frame is two fields), which meets the limitations as claimed. Therefore, the previous ground of rejection (paper no. 6, dated 5/13/2004) are still applies for the same reason as set forth in the previous office action. The grounds are being restated below for applicant convenience.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1, 3 – 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casavant et al (US 5,491,516) for the same reason as stated in previous office action (paper no. 6, dated 5/20/2004).

Regarding claim 1 and 5, Casavant '516 teaches the claimed "method for Encoding video signals corresponding to a sequence of frames each of which originally consists of two fields F1 and F2, in which the encoding step is preceded by a preprocessing step which comprises the sub-steps" (i.e. fig. 3, abstract) teaches the preprocessing of sequence of frames prior to encoding, and "receiving the successive frames and delaying each of them with a delay of at least two fields" (col. 4, lines 1+) teaches delay signal by one frame (two fields) interval, and "adjusting the delay when a change from an F1 dominance to an F2 dominance is detected, the first field of the first F2 dominant frame is suppressed, and when a change from an F2 dominance to an F1 dominance is detected, the last field of the last F2 dominant frame is repeated" (fig. 3, abstract, col. 4, lines 15 – 20, and col. 2, lines 4 – 30, lines 65+, and col. 3, lines 3 – 13) where teaches threshold detector for/and comparing the sum of the field differences and elimination/excise of the redundant fields and repeating the fields. Although Casavant '516 fails to explicitly teach, "delay being decreased by a quantity equal to "one field" and also delay being increased by a quantity equal to "one field" duration", however it would have been obvious to one skilled in the art that, removal/elimination of redundant field, would decrease the delay and repeating the fields would increase the delay equal to the amount removed/added.

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Regarding claim 3, the limitations claimed are substantially the same as claim 1, therefore, the grounds for rejecting claim 1 also applies here. Furthermore, as for the “film” and “3:2 pull-down techniques” see (fig. 1, col. 1, lines 42 – 43).

Regarding claim 4, Casavant '516 teaches the claimed “subtractor and taking the absolute value of the difference and comparing with threshold” (i.e. fig. 3, subtractor 16, threshold 20, and col. 4, lines 14 – 16).

Regarding claims 6, the limitations claimed are substantially similar to claim 3 and 4, therefore the grounds for rejecting claims 3 – 4 also applies here.

Allowable Subject Matter

4. Claims 2 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance: the prior art of the record fails to anticipate or rendered obvious the mathematical equation as cited in claim 2, part (a) and further defined in page 7 of specification, along with other element and steps as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal


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Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. Jr

12/18/2004


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600